

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

JENNIFER HASEMANN and DEBBIE
HOTH, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

GERBER PRODUCTS CO.,

Defendant.

Case No. 1:15-cv-02995-MKB-RER

JEREMY GREENE and CETARIA
WILKERSON, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

GERBER PRODUCTS CO.,

Defendant.

Case No. 1:16-cv-1153-MKB-RER

**ORDER GRANTING MOTION
TO APPOINT INTERIM CO-LEAD COUNSEL**

RAMON E. REYES, JR., United States Magistrate Judge:

Having reviewed the parties' written submissions, the Court finds that in order to promote the just, expeditious, and cost-effective resolution of this litigation and to take all necessary actions, IT IS HEREBY ORDERED:

I. APPOINTMENT OF INTERIM CO-LEAD CLASS COUNSEL

Plaintiffs Jennifer Hasemann, Debbie Hoth, Jeremy Greene and Cetaria Wilkerson and their counsel have proposed, and the Court now orders, the following appointment and

organization of plaintiffs' counsel:

1. The following counsel are designated as Interim Co-Lead Class Counsel to act on behalf of the plaintiffs in this action and the plaintiffs in all related actions that overlap with the Proposed Class¹:

Michael R. Reese
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¹ "Proposed Class" includes consumers of Defendant's products named in the above-captioned actions in all states and territories of the United States, with the exception of residents of California and Washington, D.C.

2. Interim Co-Lead Class Counsel shall coordinate and provide general supervision of the activities of plaintiffs' counsel concerning the conduct of the litigation through discovery, pretrial proceedings, and trial, including formulating and drafting discovery material for plaintiffs in the action, formulating and drafting pleadings, briefs, and motion papers, taking and defending depositions, appearing at pretrial conferences and hearings, conducting settlement negotiations on behalf of plaintiffs and the Proposed Class, and performing such other tasks as may be incidental to the proper coordination of pretrial and trial activities or authorized by further order of the Court. Interim Co-Lead Class Counsel shall have exclusive authority to negotiate any settlement on behalf of the Proposed Class.

3. Interim Co-Lead Class Counsel may establish a steering committee to assist in the coordination of the work to be performed in the prosecution of the case in a manner to assure that pretrial preparation is conducted effectively, efficiently, and economically.

4. Interim Co-Lead Class Counsel shall also maintain lists of all plaintiffs' counsel and their respective addresses and will be responsible for receiving and distributing to all plaintiffs' counsel in the action all notices, orders, and other communications from the Court. Interim Co-Lead Class Counsel shall keep complete files of all materials thus received and make that material available for inspection at reasonable hours.

5. No pleadings or other papers shall be filed or tasks performed by plaintiffs' counsel without the advance approval of Interim Co-Lead Class Counsel. No discovery shall be conducted by plaintiffs' counsel without the advance approval of Interim Co-Lead Class Counsel. This is intended to prevent duplication of pleadings, discovery, or tasks by plaintiffs' counsel. All pleadings or other papers filed with the Court on behalf of plaintiffs shall be filed through Interim Co-Lead Class Counsel.

6. All plaintiffs' counsel shall submit to Interim Co-Lead Class Counsel a record of time expended and expenses incurred in the manner, form, and frequency directed by Interim Co-Lead Class Counsel.

7. Interim Co-Lead Class Counsel are designated interim counsel to act on behalf of the Proposed Class in preparation for and prior to any decision on whether a class should be certified in this action. Such designation is limited to the time period prior to a decision on a class certification motion, at which time the Court shall make a determination regarding the appointment of permanent class counsel in the event the Court certifies a class.

II. NOTICE OF SUBSEQUENTLY FILED CASES

1. If a similar, related case is filed in any jurisdiction, all parties bear the responsibility of notifying the Court and all other parties of the filing.

2. This Order shall apply to each case arising out of the same or substantially the same transaction or event that is subsequently filed in, removed to, or transferred to this Court.

3. This Order may be amended by the Court on its own motion, and any party may apply at any time to this Court for modification or exception to this Order.

SO ORDERED.

Date: June 28, 2016

Ramon E. Reyes, Jr.
Ramon E. Reyes, Jr.
United States Magistrate Judge